



**MCDOWELL SONORAN PRESERVE COMMISSION
7506 E. INDIAN SCHOOL ROAD
COMMUNITY DESIGN STUDIO - NAVE
SCOTTSDALE, ARIZONA 85251
THURSDAY, OCTOBER 4, 2007**

MEETING MINUTES

PRESENT: Erik Filsinger, Vice-Chair
Melinda Gulick, Commissioner
Rand Hubbell, Commissioner
Virginia Korte, Commissioner
Gerry Miller, Commissioner
Linda Whitehead, Commissioner
Solange Whitehead, Commissioner (arrived at 5:20 p.m.)

ABSENT: Art DeCabooter, Chair
Arnold Roy, Commissioner
Tom Silverman, Commissioner
Joan Fudala, Commissioner

STAFF PRESENT: Bob Cafarella, Director
Don Meserve, Preservation Department

ALSO PRESENT: Councilman Ron McCullagh
Carla, Citizen Conservation Advocate
Ruthie Carll, MSC Managing Director
Frank Gray, Planning and Development Services, GM
Brian Burkes
B. J. Heggli

1. **CALL TO ORDER AND INTRODUCTIONS**

Vice-Chair Filsinger called the meeting to order at 5:08 p.m.

A roll call and introductions indicated members and guests present as stated above.

2. **Approval of September 6, 2007 Meeting Minutes**

Commissioner Linda Whitehead asked that a sentence on page 5, "Commissioner Linda Whitehead agreed with all but the last two objectives, and said the document was otherwise well thought out," be reworded to "Commissioner Linda Whitehead said the objectives were comprehensive and well-thought out and agreed with 23 of the 25 of them."

COMMISSIONER KORTE MOVED TO APPROVE THE MINUTES OF THE SEPTEMBER 6, 2007 MCDOWELL SONORAN PRESERVE COMMISSION MEETING AS AMENDED. COMMISSIONER MILLER SECONDED. THE MOTION PASSED UNANIMOUSLY BY A VOTE OF SIX (6) TO ZERO (0).

3. **State Land Reform**

Carla reported that the Governor is taking the lead to ensure that there will be legislation this session that is referred to the ballot. Discussions are ongoing between the Governor and the six-person legislative group. Senator Jake Flake has indicated he would support it as long as no free land is given away. Representative John Nelson feels positive about it, if most of what was in his previous bill is in this one. The Arizona Education Association said they are open to this bill without requesting that a board be created, which was a sticking point the last time. The majority of conservation groups in Arizona have also signed on to core principles they hope to see in the bill.

When the Governor is satisfied with the draft, it will go to the legislative group, who will in turn reach out to their constituency. This process will hopefully ensure that the bill would be referred without opposition from the legislature. At that time, the State Lands Subcommittee of the MSPC will review the basic points and identify any potential problems.

A key discussion point remains over whether to create a reserve that allows land to be set aside for parks for 50 years, without having to provide compensation, but keeping it in the custody of the State Land Department. Another question is whether there will be a map or not.

Commissioner Hubbell inquired if any land was being set aside. Carla responded that a large part of the constituency would be lost if free land was set aside in urban areas. One idea is to make the Arizona Preserve Initiative legal through a constitutional change. Lands could be appraised with a conservation deed restriction and not auctioned, and cities would have the opportunity to sign long-term purchase agreements over 25 years. Everything that makes it into the constitution has to be kept simple. There could possibly be an accompanying statutory bill that describes it in more detail.

4. **MSC Activities**

Ms. Carll reported that the Conservancy is concentrating on increasing the number of volunteers, and is currently training pathfinders, patrollers and construction/maintenance people. The first training session was filled to capacity, and the Conservancy is on its way to

achieving the goal of 100 volunteers this year. In the past, there has been a chasm between the training and service period as people find it difficult to get into the group. To address this, the Conservancy created a mentor program, where new volunteers are assigned to veterans to help them start actively volunteering. Under the new system, all of the new trainees made it to the next level.

A full time Community Development Officer, Linda Raish, has been hired to serve the dual roles of fundraising and community outreach. She was a Major Gifts Officer for ASU before becoming the Executive Director of Cave Creek Habitat for Humanity

5. **Planned Activities for McDowell Sonoran Month**

Ms. Carll discussed the slate of programs set for McDowell Sonoran Month. The events that have been held so far have been well attended, and the website is getting a lot of attention. Mr. Cafarella added that the City's website also provides a complete schedule of events.

6. **Strategies for Making Private Donations to City to Support the Preservation Program**

Vice-Chair Filsinger said Commissioner Linda Whitehead has requested that this agenda item be moved to next month's agenda.

7. **Planning Committee Work on Preserve Operations**

Vice-Chair Filsinger noted that while the Planning Committee has not had a chance to vote on the efforts of the Operational Concerns Working Group, Commissioner Linda Whitehead would provide an update on their progress.

Commissioner Linda Whitehead said the group discussed concerns over operational issues that are causing damage to the environment. When it was determined that most of the behavior was in violation of existing laws, the goal became to find ways to better enforce the Preserve ordinance and ensure that fewer trust land rules-of-use were violated.

While stewards and signage can address many of the violations, the Scottsdale Police Department Park and Preserve Unit will play a key role in curtailing the most egregious offenses. The unit has been making great efforts to tackle the problem, and illegal activity has decreased noticeably in the Pima/Dynamite area, especially in illicit ATV use and target shooting. When an air quality bulletin is issued prohibiting ATV use, the Preserve has to be able to respond quickly. She said the work group would also recommend that the Promotion Committee consider ways to educate citizens and improve voluntary compliance.

Commissioner Solange Whitehead inquired about quail hunting. Commissioner Linda Whitehead responded that the consensus is that the Arizona Game and Fish Department has control over hunting. The Scottsdale Police are not sure they can ban legitimate hunting, but they can determine whether the hunting that is occurring is legitimate or not.

Mr. Cafarella said hunting with firearms is prohibited, but bow hunting is allowed during a limited time. The City Council will address the issue at a future date.

Carla clarified that hunting with firearms is prohibited on City land, but it is allowed on State land during the appropriate season.

8. **Promotion Committee Activities Related to Getting the Word Out about the Preserve**

Commissioner Solange Whitehead encouraged the Commissioners to attend the Mayor's Breakfast on October 18 at the Granite Reef Senior Center. The Promotion Committee is making an effort to reach out to non-Preserve users by highlighting the work of individual volunteers. The noxious weeds brochure is now available online.

Commissioner Linda Whitehead said Scottsdale residents are receiving a positive chain of messages about the Preserve included with their water bills.

9. **Preserve Manager's Report**

Mr. Cafarella reported that Claire Miller is currently training park rangers and receiving additional training herself. She recently investigated the abandoned mines on Preserve land, and reported that things were in good shape. In the long-term, a plan exists to remove the fence and grade it to make it wildlife friendly, but the fences are adequate at this point. Some signs will also be installed to warn people about the safety hazards.

The Preserve has received word that the water from Mountain Spring that was required by contractual agreement to be kept free flowing, is no longer needed. An analysis will be made to determine the best way to return the spring back to its natural condition. The public has indicated its desire to let something remain to assist hikers during emergencies, but there are some problems to overcome before that can be done.

A recent downpour caused some damage to the trail near Windgate, but it held up well considering the size of the water flow. Efforts are being made to repair the damage.

Commissioner Hubbell said the State Mine Inspector could provide signs for the mine if requested. Mr. Cafarella responded that the Preserve has considered that, but might ask the Department of Mines and Mineral Resources to help fund the actual grading instead.

10. **Future Executive Session for McDowell Sonoran Preserve Commission**

COMMISSIONER GULICK MOVED TO HOLD AN EXECUTIVE SESSION ON NOVEMBER 1, 2007, TO DISCUSS AND CONSULT WITH ROBERT CAFARELLA, THE COMMISSION'S DESIGNATED REPRESENTATIVE, TO CONSIDER THE COMMISSION'S POSITION AND INSTRUCT ITS REPRESENTATIVE WITH RESPECT TO THE PURCHASE, SALE OR LEASE

FOR INCLUSION IN THE MCDOWELL SONORAN PRESERVE OF REAL PROPERTY LOCATED WITHIN THE RECOMMENDED STUDY BOUNDARY FOR THE MCDOWELL SONORAN PRESERVE INCLUDING PROPERTY CALLED THE GATEWAY LOCATED AT THE NORTHEAST CORNER OF BELL ROAD AND THOMPSON PEAK PARKWAY. ARS 38-431.03 (A) (3) and (A) (7). COMMISSIONER HUBBELL SECONDED. THE MOTION PASSED UNANIMOUSLY BY A VOTE OF SEVEN (7) TO ZERO (0).

11. **Commissioner Comments and Public Comments**

Commissioner Miller said the invasive weeds program would present a paper at a meeting in Tucson on October 25. They are asking the Fire Department to ask the City to take care of the invasive weeds along Via Linda Drive as part of an effort to address noxious weeds outside the Preserve.

There will be a work party on October 6 with a group from ASU. Once the work is done, the President of an adjacent homeowners association will be contacted to help prevent the weeds from returning.

Mr. Cafarella said the City is still going through the permit process on the Desert Discovery Center. A consultant has been chosen for recommendation to the City Council. Council will meet on November 6 to consider the recommendation.

The court case reported last month was continued. The City is pushing for a November trial date, but it will likely be the second week of January. If the trial is finished in the spring, it should not affect the start of the Gateway project.

The Preserve is working on creating a central area trail map, including a paper version that hikers can use if they get into trouble in remote sections.

12. **Agenda Items for Future Meetings**

The next meeting is November 1. Mr. Cafarella noted that the annual ethics training is scheduled for that meeting. In addition to the agenda item to discuss donations, there will be a presentation on how the MSC has restructured in order to provide the requested patrol services.

13. **Adjournment**

With no further business to discuss, the meeting adjourned at 5:58 pm.

Respectfully submitted,
A/V Tronics, Inc.